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Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

Chapter 11

**CHAPTER 11 TRUSTEE'S
RESPONSE TO OBJECTION OF
DOUGLAS COUNTY PUD**

Mark D. Waldron, in his official capacity as the Chapter 11 Trustee (the “Trustee”), hereby respectfully responds to the objection of Public Utility District No. 1 of Douglas County, Washington (the “PUD”) to the Trustee’s BR 2004 motion for production of evidence.

The PUD objects only to RFP No. 19, which requests that the PUD produce evidence related to its January 7, 2019, letter to GigaWatt purporting to terminate the PUD’s Interconnection and Service Agreement with GigaWatt for its Highline and Eller facilities, which the PUD asserts are for GigaWatt’s TNT operation. As

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1 a comparison of the attached letters demonstrates, the January 7, 2019 (**Exhibit B**),
2 letter is strikingly similar to the October 12, 2018 (**Exhibit A**), letter in which the
3 PUD notified GigaWatt that it intended to terminate the PUD's Interconnection and
4 Service Agreement for GigaWatt's Pangborn Field facility. Both letters involve the
5 PUD's purported attempts to terminate Interconnection and Service Agreements
6 with GigaWatt, and the PUD claims that similar or identical circumstances justify
7 its termination in both letters. Because of these striking similarities, information
8 concerning the January 7, 2019, letter is directly relevant to the Pangborn issue, and
9 is likely to light on whether the PUD complied with the specific requirements of the
10 Pangborn Interconnection and Service Agreement when it purported to terminate
11 that Agreement.

12 Because information about the January 7, 2019, letter is directly relevant to
13 the inquiry concerning the Pangborn Interconnection and Service Agreement, the
14 PUD's objection should be rejected.

15 Dated: August 10, 2020

16 **BEVERIDGE & DIAMOND, P.C.**

17 /s/Eric L. Christensen

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